

In The District Court Of The United States  
For The Middle District Of Alabama  
Northern Division

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U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA.

David Allen #150171  
Plaintiff Pro se

vs.

Gwendolyn Mosley, et al.  
Defendants

Civil Action No.

2:06-CV-1020-MHT

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Motion To Object To Order Allowing  
Defendant(s) To Interview The Plaintiff

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On November 15, 2006, the Honorable Judge, Susan Russ Walker, United States Magistrate Judge, filed an "Order" in response to Plaintiff's 42 U.S.C.:1983 Complaint form that was filed in this court on November 15, 2006, for which a copy was forwarded to both Defendant(s) and the Plaintiff which was received on November 17, 2006.

On Page 2 of 6 of said "Order", Particular #2 of Courts order, to the Defendants, states in ~~the~~

Pertinent Part As follows:

"....

"2. . . . Authorization is hereby granted to interview All. . . including the Plaintiff."

Specifically, Plaintiff objects to the "Order" allowing the Defendants to interview him, or otherwise conduct any depositions, until after the fact that Plaintiff has been appointed counsel to represent him, or until he may be reconsidered by the Judge in his case to have counsel appointed to him pursuant to any subsequent "Motions for Appointment of Counsel," or at the very least, that he may be subsequently appointed and temporarily ~~afforded~~ afforded a lawyer to represent him during any future depositions. And any and all depositions that may occur thereafterwards.

Plaintiff's intent behind his objection is to be able to better secure his answers to and/or in response to the Defendants interrogatories, and to stay within the scope of the issue at hand. — In other words Plaintiff is afraid that he might be asked to say things which could or may be used against him or that would otherwise be incriminating to him and his case, if his case makes it to trial.

Wherefore, Premises considered, the Plaintiff PRAYS that this Honorable Court Grant his motion and "DO NOT" Allow the Defendant(s) to interview him without counsel being Present to Assure that his answers will not incriminate him or otherwise be used AGAINST him if his case makes it to trial.

This and ALL and all further relief that this Honorable Court deems necessary, just and proper in the instant case is also PRAYED for on this the 22 day of November, 2006.

Lincoln David Allen #150171  
Plaintiff, Pro se

DAVID Allen #150171 - 5A-2-cell  
Easterling Corr. FAC.  
200 WALLACE Drive  
Clid. AL. 36017

# Certificate of Service

I Lincoln David Allen, hereby certify that I have served a copy of the foregoing "Motion" to:

- A) The United States District Court Clerk; and
- B) To each Defendant via HAND MAIL, by placing a copy of each "motion" in the Prison mailroom via United States Postal mail, on this the 22 day of November, 2006, as follows:

To both Defendants  
Gwendolyn Mosley; and  
Jeffery Knox  
Easterlin & Corr. Fac.  
200 Wallace Drive  
Clio, AL. 36012

Office of the Clerk,  
Ms. Debra P. Hackett  
P.O. Box 711  
Montgomery, AL.  
36101-0711

I, Lincoln David Allen, swear or affirm under penalty of Perjury that, upon information and belief, the foregoing is true and correct.

Executed on November 22, 2006

Lincoln David Allen #150171  
Plaintiff. Rose